

KEVIN G. HORBATIUK (KGH-4977)
RUSSO, KEANE & TONER, LLP
Attorneys for Defendant
CUNNINGHAM DUCT WORK s/h/i/a
CUNNINGHAM DUCT CLEANING CO., INC.
26 Broadway - 28th Floor
New York, New York 10004
(212) 482-0001

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**IN RE COMBINED WORLD TRADE CENTER
AND LOWER MANHATTAN DISASTER SITE
LITIGATION**

21 MC 102 (AKH)

LUIS F. MESA and MARIA MESA,

**DOCKET NO:
07 CV 5303**

Plaintiffs,

-against-

100 CHURCH, LLC, 110 CHURCH LLC
53 PARK PLACE, LLC., 90 CHURCH STREET
LIMITED PARTNERSHIP, ALAN KASMAN
DBA KASCO, AMBIENT GROUP, INC.,
ANN TAYLOR STORES CORPORATION, BATTERY
PARK CITY AUTHORITY, BELFOR USA
GROUP, INC., BLACKMON-MOORING-
STEAMATIC CATSTOPHE, INC., D/B/A
BMS CAT, BOSTON PROPERTIES, INC., BROOKFIELD
FINANCIAL PROPERTIES, INC., BROOKFIELD
FINANCIAL PROPERTIES, LP., BROOKFIELD
PARTNERS, L.P., BROOKFIELD PROPERTIES
CORPORATION, BROOKFIELD PROPERTIES
HOLDINGS, INC., CUNNINGHAM DUCT CLEANING
CO., ENVIROTECH CLEAN AIR, INC., GPS
CONSULTANTS, INC., HILLMAN ENVIRONMENTAL
GROUP, LLC., INDOOR ENVIRONMENTAL
TECHNOLOGY, INC., INDOOR ENVIRONMENTAL
TECHNOLOGY, INC., KASCO RESTORATION
SERVICES, CO., LAW ENGINEERING P.C.,
LIONSHEAD 110 DEVELOPMENTS, LLC LIONSHEAD
DEVELOPMENT LLC., MERRILL LYNCH & CO.,
INC., NOMURA HOLDING AMERICA, INC.,

**NOTICE OF
ADOPTION OF
ANSWER TO
MASTER COMPLAINT**

**NOMURA SECURITIES INTERNATIONAL, INC.,
ROYAL AND SUNALLIANCE INSURANCE
GROUP, PLC., STRUCTURE TONE (UK)
INC., STRUCTURE TONE GLOBAL SERVICES,
INC., TOSCORP., INC., TRC ENGINEERS, INC.,
WESTON SOLUTIONS, INC., WFP TOWER B CO., G.P.,
CORP., WFP TOWER B HOLDING CO., LP., WFP
TOWER B CO., LP., and ZAR REALTY MANAGEMENT
CORP.,**

Defendants.

-----x

PLEASE TAKE NOTICE, that defendant CUNNINGHAM DUCT WORK s/h/i/a CUNNINGHAM DUCT CLEANING CO., INC. ("CUNNINGHAM"), by its attorneys, RUSSO, KEANE & TONER, LLP, as and for its Response to the allegations set forth in the Complaint by Adoption (Check-Off-Complaint) Related to the Master Complaint filed in the above referenced action, hereby adopt their Answer to Master Complaint dated, August 1, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

WHEREFORE, the defendant, CUNNINGHAM demands judgment dismissing the above captioned caption action as against it, together with its costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York
February 1, 2008

Kevin G. Horbatiuk
Kevin G. Horbatiuk (KGH4977)
Attorneys for Defendant
CUNNINGHAM DUCT WORK s/h/i/a
CUNNINGHAM DUCT CLEANING CO., INC.
RUSSO, KEANE & TONER, LLP
26 Broadway, 28th Floor
New York, New York 10004
(212) 482-0001
RKT File No. 824.078

TO: CHRISTOPHER R. LaPOLA, ESQ.,
WORBY GRONER EDELMAN & NAPOLI BERN, LLP
Attorney for Plaintiffs
LUIS F. MESA and MARIA MESA
115 Broadway 12th Floor
New York, New York 10006
(212) 267-3700

CERTIFICATION OF SERVICE

I hereby certify that a copy of the above and foregoing has been served upon the following listed person by placing a copy of the same in the United States mail, postage prepared and properly addressed, this the 1st day of February, 2008.

CHRISTOPHER R. LaPOLA, ESQ.,
WORBY GRONER EDELMAN & NAPOLI BERN, LLP
Attorney for Plaintiffs
LUIS F. MESA and MARIA MESA
115 Broadway 12th Floor
New York, New York 10006

Kevin G Horbatiuk

KEVIN G. HORBATIUK